

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

HANS A. QUAACK, ATTILIO PO
and KARL LEIBINGER, on behalf of
themselves and those similarly situated,

Plaintiffs,

v.
DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

Civil Action No.: 03-11566 (PBS)

STONINGTON PARTNERS, INC., a Delaware
Corporation, STONINGTON CAPITAL
APPRECIATION 1994 FUND L.P., a Delaware
Partnership and STONINGTON HOLDINGS,
L.L.C., a Delaware limited liability company,

Plaintiffs,

v.
DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

Civil Action No.: 04-10411 (PBS)

GARY B. FILLER and LAWRENCE
PERLMAN, Trustees of the TRA Rights Trust,

Plaintiffs,

v.
DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

Civil Action No.: 04-10477 (PBS)

JANET BAKER and JAMES BAKER,
JKBAKER LLC and JMBAKER LLC,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

Civil Action No.: 04-10501 (PBS)

**DEFENDANT DEXIA BANK'S MOTION FOR LEAVE TO FILE
THE LEONE-QUICK DECLARATION UNDER SEAL**

Defendant Dexia Bank Belgium ("Dexia") hereby moves this Court pursuant to Local Rule 7.2, for orders authorizing the filing under seal, in each of the above-captioned actions, of the Declaration of Breton Leone-Quick dated March 22, 2006, together with the exhibits thereto ("Leone-Quick Declaration").

In support of this motion, Dexia states as follows:

1. On May 31, 2005, the Court entered an Order Governing the Treatment of Confidential Information in each of the above-captioned actions (the "Confidentiality Order"). A true and correct copy of the Confidentiality Order is annexed hereto as Exhibit A. Under the terms of the Confidentiality Order, memoranda of law and declarations containing or disclosing materials that a producing party has designated as "Confidential Information" must be filed with the Court under seal.

2. On March 8, 2006, Plaintiffs filed with this Court a Motion to Compel the Return of Inadvertently Produced Documents. Plaintiffs did not submit copies of the inadvertently produced documents for review by the Court in any form.

3. On March 22, 2006, Dexia filed and served its Opposition to Plaintiffs' motion to compel. Dexia also served and sent to this Court as a courtesy copy, but did not file through the ECF, the Leone-Quick Declaration attaching the three inadvertently produced documents at issue for the Court's consideration. Plaintiffs claim that these documents are "opinion" work product and have designated these documents "CONFIDENTIAL" under the Confidentiality Order.

4. Dexia seeks to file the Leone-Quick Declaration and exhibits under seal because it contains information designated confidential under the terms of the Confidentiality Order.

Certification Under Fed. R. Civ. P. 37(a)(2)(b), and Local Rules 7.1(a)(2) and 37.1(b)

Pursuant to Local Rules 7.1(a)(2) and 37.1(b), undersigned counsel hereby certifies that on March 21, 2006, Breton Leone-Quick of Mintz Levin Cohn Ferris Glovsky & Popeo, representing Dexia Bank Belgium, conferred by telephone and e-mail with Patrick Egan of Berman DeValerio Pease Tabacco Burt & Pucillo, counsel for Plaintiffs, regarding the instant motion, and the parties were unable to reach agreement. Plaintiffs' counsel disagrees with the filing of the exhibits with the Court in any method other than *in camera* review.

WHEREFORE, Dexia respectfully requests that this Court enter an order authorizing the filing under seal, in each of the above-captioned actions, of the Declaration of Breton Leone-Quick dated March 22, 2006, together with the exhibits thereto.

Dated: March 22, 2006

Respectfully submitted,

MINTZ LEVIN COHN FERRIS
GLOVSKY & POPEO

By: /s/ Breton Leone-Quick
Peter M. Saparoff (BBO#441740)
Breton Leone-Quick (BBO#655571)

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Counsel for Dexia Bank Belgium

Certificate of Service

I, Breton Leone-Quick, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on March 22, 2006.

/s/ Breton Leone-Quick

Dated: March 22, 2006